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January 1946

U. S. Department of Labor  
WOMEN'S BUREAU  
Washington 25, D. C.

#### INDUSTRIAL HOMEWORK IN THE UNITED STATES

Homework is a black page in the industrial annals of the United States. Efforts to eliminate the evils of this type of labor have had a long and complicated history.

The Women's Bureau of the United States Department of Labor, when created over a quarter of a century ago, found homework to be deeply entrenched in the country's manufacturing system. The Bureau, established by the Congress to promote the welfare of women workers, has consistently opposed homework on various counts. Women and children in the home have been its greatest victims, suffering detrimental effects from working unreasonably long hours for shockingly low wages and under injurious conditions. But the abuses have not stopped there. The low standards for such labor have undermined the status of factory employees. Unscrupulous employers, relying on overworked and underpaid homeworkers, have operated as cut-throat competitors to fair-minded industrialists. And beyond these evils in the realm of manufactures has been the menace to the public health from articles made in filthy, disease-ridden homes.

Thus the Women's Bureau has been one of the agencies in the vanguard urging remedial measures and legislative control. Much progress has been made in recent years, but there is still a long distance to go in this country before the evils of industrial homework are completely eradicated.

It is well to define what is meant by this type of homework. It is not handicraft work - baskets, rugs, jewelry, pottery - made by women or men in the home who sell directly to the buyer or consumer. "Industrial homework" is the invasion of the home by the factory system and the use of the homemaker and her children as producers for profit-making industries. This system always includes the activities of a manufacturer operating outside the usual factory system. This type of manufacturer distributes materials to the homeworkers, receives the finished articles, sells them at a profit - and sometimes at a very considerable profit.

The system began to flourish in the United States some time after the middle of the 19th Century, when machine production of goods drew into factories more and more industries that were formerly carried on in the home. Manufacturers found it more profitable to have certain parts of the articles done by hand, in the homes. Also fine handwork for decoration of garments became a homework industry among many immigrant women from southeastern Europe. They were skilled in embroidering and lace-making and eager for work they could do in the home, especially since, unable to speak the language of their adopted land, they were afraid to venture into factory employment. Thus, ignorant of factory wage levels and competing with each other for work, they accepted exceedingly low wages.

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Soon the tenement workshops spread in the immigrant areas in large cities. A homework employer found profits greater if he controlled tenement houses in which he installed large numbers of homework families who paid him rent and turned out the goods for his contracts at his prices. The abuses that grew out of this practice aroused public condemnation.

Considerable credit belongs to the National Consumers' League, founded in 1890, for its early crusade against this form of labor. At the turn of the century homework was especially flagrant in New York City, the great center of the Nation's garment trades. The total number of licensed homeworkers in the city in 1902 was 62,000; countless others were unlicensed. Children, hardly more than babies, were kept for hours pulling basting threads or sewing on buttons. For years the local health department was kept informed by the Consumers' League of the dangers of virulent communicable diseases conveyed through products made by persons having such diseases.

The many New York City factories making use of homeworkers were denied the use of the Consumers' League label. This label, as adopted by the League, could be attached to goods made in factories complying with good labor standards. The League published a Recommended List of such manufacturers from time to time. The list was never long. (The largest in any one year was of 69 firms in 13 States.) The label and standards attracted great attention, and you will be interested to hear that the League found goods in Mexico City bearing its label. As years passed, and as the needle-trade workers became better organized to fight for better standards and to use their own union label, the Consumers' League gave up its label but continued to work for enactment of satisfactory law.

The first attempt at legal control had been made as far back as 1884 when New York passed a law to prohibit manufacture of cigars and other tobacco products in tenement houses. This law was declared unconstitutional on the grounds that it would arbitrarily deprive the homeworker of his property and his personal liberty. Unfortunately this decision blocked for almost 30 years any further attempt in our country to prohibit homework. In this interim, State legislatures confined their efforts to regulatory legislation, and by 1904 such laws were on the statute books in 12 States. The early laws took the approach of protecting the public from disease through use of articles produced in the crowded, dirty surroundings of tenement sweatshops. Later legislation considered as well the protection of the worker's health, requiring specific standards of sanitation to be maintained where the work was done.

In 1913 New York State enacted the first prohibitory law held to be constitutional. It forbade homework in tenement houses on food, dolls and dolls' clothing, and children's garments. This law has since been strengthened and broadened. It has served as a model for other States with like problems. Development of prohibitory legislation has been slow, however, until recent years.

The Women's Bureau in its investigations up to the middle of the 1930's found homework was flourishing in many industries and in many areas. The State laws were too few and too ineffective. Several of the countless situations that came to the Bureau's attention will help to illustrate the conditions under which homework was being carried on just a few years prior to the enactment of the Federal Fair Labor Standards Act in 1938, which has proved a great stride forward in the control of homework.

The Cardenas family lived on a sub-baked street in San Antonio, Texas, in a dilapidated one-room wooden shack. In the front was the porch with broken steps, in the rear a closet for a kitchen. Mrs. Cardenas and her three daughters did fine sewing and embroidery on infants' dresses. The mother, an invalid, worked when she was able, doing the simpler tasks of hemming and sewing on the narrow lace edging. The girls were seated on boxes, all doing smocking on the dresses spread over cushioned-back chairs to hold the garments in place. When the workers sewed after dark they had to use candles. They slept on mats on the floor at night. Each worker probably earned about 10 cents an hour.

Another type of homeworker family was that of a Polish widow, who with 7 of her 11 children did tag stringing. The three oldest children worked in the cotton mill by day and on the tags at night. Some of the children stopped at the factory on their way from school to obtain the tags. Eight members of the family working together from 6 to 9:30 in the evening finished 5,500 tags, and for their joint labors earned 55 cents a night. The pile had to be returned before school the next morning. Fortunately for the health of the family, the employers in the industry abolished their homework system in 1936-37.

Progressive employers, who have voluntarily abolished the outmoded system of homework without waiting for the cudgels of the law, are in striking contrast to the unscrupulous employers who try to fight the enactment of homework legislation and then try to evade it after it is passed.

Experience has proved that control through regulatory law did not reach the evils of the system. Contrast the regulation of factory conditions with the regulation of homework conditions. Factory records are open to inspection and not easily falsified. But to enforce the law in homework, inspectors have to visit thousands of individuals in unnumerable tenements and scattered farmhouses. The cost of a comprehensive and thorough inspection is prohibitive. Nor is it fruitful of dependable results because evasion is easy and a temptation to both workers and employers.

Even though a few States had pioneered in passing and enforcing prohibitory legislation, unprincipled employers trying to dodge the law could readily ship materials into other States where laws were less restrictive or non-existent. For instance, records showed that in 1938 New York employers were sending homework into 28 other States, and as far away as Texas.

It became apparent to progressive employers as well as to State and Federal authorities that, to conquer the homework octopus with its tentacles reaching out in many directions, National legislation was essential.

The National Industrial Recovery Act, which was passed in 1933 for the purpose of promoting fair trade procedures, and which operated for two years until it struck the snag of unconstitutionality, made some headway on the National level against evils of homework. Abolition of this system was required in a great many of the industry codes adopted. Recalcitrant employers tried to resist the codes' elimination of homework, arguing that women with young children could never change over to factory work. One woman reported that her employer had said to her: "If anybody comes to you and asks what you think about the difference between working in the factory and working at home, be sure to tell them that you would much rather work at home, because it gives you so much more time to take care of your children." But the woman in replying to him denied this. "When I worked in the factory, I was in the factory and did my work. I came home at 5 o'clock and I had my time for my home and my children, which I did not have when I was compelled to spend every minute of the day, and evening as well, in an attempt to earn enough money to keep the home going."

The death of the whole program known as the NRA meant a rebirth of homework among cut-throat employers. However, experience gained under the NRA in homework control was helpful in establishing further controls on homework in later Federal Acts which affected commerce between the separate States. The Public Contracts Act, passed in 1936 forbids homework on goods made to fill government contracts amounting to \$10,000 or more. The Federal Fair Labor Standards Act of 1938 set wage and hour standards for all workers - whether in factory or home - producing goods for commerce between States. The Act provided penalties for violation.

This law tended to stimulate voluntary elimination of homework production among a number of employers. Some firms feared that Federal authorities might find them unwittingly in violation of the law. This could easily occur, since the employer had no direct control over the number of hours his employees worked in the home. Nor did he have control over the fact that young children might be working - which is prohibited expressly by the Act.

For example, one of the largest children's dress manufacturers who had been employing thousands of homeworkers, said, "We decided to discontinue homework in May 1941. Our reason was that we felt it was impossible to assure ourselves of complete compliance if homeworkers were engaged --- it was no hardship at all to discontinue the use of homeworkers, and we are happier under the new arrangement."

A striking illustration of a voluntary readjustment of business concerns from a homework to a factory system is found in the manufacture of bedspreads. Back in 1933 the Women's Bureau had made an investigation of an extensive enterprise carried on by commercial and semiphilanthropic groups, utilizing the skill of families living in the southern mountains of the United States. Many women turned their hovels into workshops, making under contract such articles as attractive candlewick bedspreads and hooked rugs of elaborate design, or doing beautiful quilting and applique work on velvet materials.

The southern mountaineer craftswoman plied her craft in her home from sunup to sundown whenever work was available. She furnished her own equipment. She took a material share of overhead expense off the shoulders of her employers. She bore the full burden of a poorly organized business, subject to every irregularity in market trends. At the end of her year's effort, she found that her earnings had been about one-twelfth those of her lowest paid factory sister, for the general opinion of the employers seemed to be that 10 to 12 cents an hour was ample payment for their services.

However, a revolutionary adjustment was made by the firms concerned with bedspread production about the time the Fair Labor Standards Act was passed. The homework system was abandoned for manufacture in factories erected in the mountainous communities to produce attractive machine-made spreads of more or less similar designs to the handmade ones. The workers recruited from the surrounding country were mostly younger people, who were paid a fair hourly rate.

Despite such voluntary action by some employers authorities administering the Federal Fair Labor Standards Act soon discovered that the homework system which had flourished for decades was not easily controlled. Homework persisted, especially in those industries where its use had been most widespread - such as cheap costume jewelry, handkerchiefs, women's and children's clothing, buttons and buckles, gloves and mittens, embroidery, and knitted outer garments.

For these 7 industries, the Federal Fair Labor Standards Act Administrator issued orders prohibiting homework absolutely on goods which might enter channels of interstate trade. He permitted exceptions only for classes of workers handicapped by age or physical conditions or who are prevented by care of an invalid from entering factory work - and required these persons to have been previously employed as homeworkers in the same industry. A certificate had to be obtained for each homeworker from the proper official of the Federal Labor Department.

The administrator's authority to make these orders was challenged by some industrialists, but was upheld by the U. S. Supreme Court. The orders prohibiting homework and the court decision mark a major advance in the control of homework. The restriction of certificates to the types of persons specified means only a few hundred actual homeworkers remain in those 7 industries, while thousands of former homeworkers are better able to secure jobs in factories.

Despite the protests of some employers forbidden to use homework, they do make satisfactory adjustments. Those who have led the way in such adjustment report no insurmountable problems, even where homework had been a major source of production. The glove industry, largely concentrated in one area, is a striking example of a remarkable adjustment. About a fourth of the manufacturers have opened community workshops, and established day nurseries for the care of young children. One small manufacturer who expected to be hurt by the prohibitor order recently reported that his 10 factory workers are now producing more than was formerly put out by 6 factory workers and 7 full-time homeworkers.

Many women workers also have made very satisfactory readjustments. A typical case is that of Mrs. Ross who had for many years worked on jewelry novelties in her home. When the prohibitory order was issued she thought she would "just give up." Then she decided to try factory work. After 2 years of such employment she reports she would not go back to homework. Her earnings are better than ever before. She knows that after 8 hours her work is done and she likes the company of her fellow workers.

Moreover, through these Federal orders thousands of factory wage earners and fair-minded employers are protected against undercutting wage competition by unscrupulous employers wanting to rely on home sweatshop labor.

These developments under the Federal legislation encourage State labor administrators to proceed with State prohibition of this outmoded method of production.

The question may arise, why, where such Federal legislative steps have already been taken and further action seemingly is possible, State homework laws are necessary. According to the constitution of the United States, the Federal Government can legislate for enterprises operating across State lines but generally must leave to the States the right to control intra-State industries or those carried on within the borders of a State.

There are still 26 States without any homework legislation. In such a State a candy factory catering only to local trade might use peean nuts in its candy that were cracked and picked in filthy homes by workers with tuberculosis or other communicable disease. Or a shop selling party decorations to customers in a particular city might employ homeworkers to complete orders for special occasions - regardless of whether the worker must put in 12 to 14 hours a day for this purpose. Or an entrepreneur, who carries on a business within a community might have hand-knitted sweaters made by women in their homes, and pay them much



less than the 40-cent minimum required under the Federal law, while the sweaters are sold at an exorbitantly high profit. Or a child might contract and die of a contagious disease from a sweater made in a home where such illness existed.

As to the 22 States which do have some form of law dealing with homework, these State laws apply only to the practice as carried on within the respective State boundaries. One State, Connecticut, forbids shipment of homework materials into the State from outside manufacturers and subjects materials so shipped to official seizure and disposal. A few States with minimum-wage laws make the rates apply also to homeworkers. This action does tend to reduce the volume of homework, for employers compelled to pay the factory rate find bringing workers into factory a profitable arrangement since they can be properly supervised, thus reducing waste and preventing delayed shipments.

Some States attempt to apply factory hour regulations to homeworkers, but this is more difficult since workers and employers find evasion easy through falsified reports of hours worked. The employer wants the greatest possible volume of output, the homeworker the largest possible amount of earnings to be realized on her only capital - her time.

Inspection of work places is a duty of the labor department or the health department of the State, depending on the type of legislation in effect. The law may regulate from the standpoint of violation of labor standards, or from the standpoint of health conditions for the worker or for the ultimate consumer of the articles produced.

The best policies and procedures found in some of the State laws are similar to the recommendations on industrial homework adopted at the 12th National Labor Conference held December 1945 in Washington. The conference was convened by the Secretary of Labor and attended by representatives from the labor department and organized labor of 41 of the 48 States, as well as by Federal officials, for the purpose of working toward better labor legislation of all types.

The homework report as adopted by the delegates advocated the ultimate abolition of homework. The following recommendations were made: (1) That the 26 States which now have no legislative control over homework promptly enact laws to prohibit it; (2) that other States in which homework still abounds remodel their laws and strengthen enforcement procedures to bring about the end of homework; (3) that the State governments work in close cooperation with the Federal government so that controls may be made effective over articles made by homework for commerce, whether that commerce be within one State's boundaries or among the States.

State and Federal labor officials, who have had long practical experience in administering homework laws have arrived at general agreement on standards to be followed in the United States in the administration of these laws:

To protect the public, homework should be prohibited on such articles as food, drink, tobacco, drugs, toys, and sanitary goods. To protect the worker such articles as explosives and fireworks should not be handled in the home.

The employers of homeworkers should be required to secure an annual permit with a fee fixed for the year of first issuance and graduated thereafter to the number of homeworkers employed. This gives the State department of labor opportunity for an annual checkup on the employer, tends to discourage large numbers of homeworkers, and puts too high a price on the employment of one or two homeworkers to make the homework system profitable.

Certificates for homeworkers should be granted annually and at no cost to the worker. The employer of homeworkers should be one who employs persons on the same or similar operations in a factory. The homeworker should be paid at least the same rate as the factory worker, and the number of homeworkers should not exceed the number of factory workers.

The use of contractors or subcontractors in the distribution of homework adds to the problems and the abuses, and should be prevented by law. However, where a contractor operates he should be required to hold an employer's permit.

The form of records to be kept by employers of homeworkers should be prescribed by the State commissioner of labor. Such records should include lists of workers; places of work; materials distributed and manufactured; piece rates, net wages; hours; and other information. Requirements should include decent sanitary conditions in the home, compliance with State and Federal laws, and labeling of materials by the employer.

To sum up - despite the very real progress that has been made through educational and legislative measures in reducing the amount and the evils of this system in the United States, industrial homework still exists to some extent in every one of the States. It is most prevalent in New York, Pennsylvania, Illinois, New Jersey, Massachusetts, Rhode Island, and California, which are great centers of population.

Industrial homework is a community affair. It crops up in one back flat, and unless checked, it spreads through the neighborhood like a contagious disease. In some cases where homework is being carried on, it is not contrary to existing legislation. In others it may be in violation of the law and has not come to the notice of enforcement authorities. It is bound eventually to be brought to the attention of local public welfare agencies. The first reaction of the public may be that these people need the work even if it does bring but a few dollars a week. But homeworkers who do such tasks for a mere pittance are taking jobs away from factory workers who would be paid 40 cents or more an hour and overtime pay of time and a half for hours in excess of 40. A single factory worker can easily earn in one week as much as a whole family of homeworkers. The 18-year-old daughter as a factory employee can bring home more money than she, her mother, and her younger sisters could earn in making a sweatshop of their home.

Industrial homework merely adds to the misery of poverty. It does not relieve it. This fact is proved by an examination of the relief rolls in various communities. Interviewed in Chicago in 1936, over 200 families out of some 800 doing homework said that they were or had recently been receiving relief. Other families may have been recipients of such help but were reluctant to admit it for fear homework earnings might be deducted from relief grants. Similar stories could be reported for New York City and other localities. Such relief payments to underpaid homeworkers are in reality a subsidy to inefficient employers who fail to pay a living wage.

Greater cooperation of government and of community is essential to abolish completely this unsound and outmoded system. Better and more extensive State and Federal legislation as well as more effective administrative and enforcement measures are needed. Organized labor is definitely opposed to industrial homework, and many trade unions need to exercise the greatest vigilance to keep this insidious practice from springing up in tenements or in outlying rural communities. The forward-looking employers who lend their support to uprooting the homework system need to bring pressure on their competitors who have refused to relinquish the use of home labor.

Various agencies, including the Women's Bureau, must constantly carry on educational work against the system as a whole, because all governmental experience proves that industrial homework cannot be regulated in such a way as to prevent exploitation of workers. The Bureau knows that workers in the home cannot obtain a fair return for their labor because they are unable to cope successfully with the combined pressures from employers and from family needs. Regulation of work hours is impossible of enforcement for similar reasons.

All enlightened citizens realize that the substandard wages for which the system is notorious and on which it thrives cannot be tolerated in a country which aims to achieve for all its people freedom from want and opportunity for a full and abundant life.

(WB 46-126)

U. S. DEPARTMENT OF LABOR  
Women's Bureau  
Washington

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SUMMARY OF STATE LABOR LAWS FOR WOMEN

Feb. 15, 1946

(Basic standards, exclusive of temporary wartime modifications)

1. - DAILY AND WEEKLY HOURS

Forty-three States and the District of Columbia have laws limiting the daily and weekly hours of employment in one or more industries.

Five States - Alabama, Florida, Indiana, Iowa, and West Virginia - do not have such laws.

One-half of the States (24) and the District of Columbia have set 8 hours a day and/or 48 hours a week or less as the maximum time a woman may be employed in one or more industries. <sup>1/</sup> In 23 of the 24 States (Kansas is the exception), manufacturing establishments are covered by such standards. South Carolina's statute, however, covers only one branch of manufacturing - textile mills. In Connecticut the maximum workweek is 48 hours for several industries but daily hours may not exceed 8 in mercantile establishments nor 9 in manufacturing plants. The 8-48 hours law in Kansas applies to public-housekeeping occupations and telephone exchanges; in manufacturing establishments, the maximum is 9 hours a day, 49½ hours a week.

Arizona	8 - 48	New Mexico	8 - 48
California	8 - 48	New York	8 - 48
Colorado	8	North Carolina	9 - 48
Connecticut	8 - 48	North Dakota	8½ - 48
	9 - 48	Ohio	8 - 45
District of Columbia	8 - 48	Oregon	8 - 44
Illinois	8 - 48	Pennsylvania	8 - 44
Kansas	8 - 48	Rhode Island	9 - 48
Louisiana	8 - 48	South Carolina	8 - 40
Massachusetts	9 - 48	(Men and women)	2/
Montana	8	Utah	8 - 48
Nevada	8 - 48	Virginia	9 - 48
New Hampshire	10 - 48	Washington	8
		Wyoming	8 - 48

Ten States have set a maximum 9-hour day for women and the weekly maximum in all but one of these (Idaho) is 50 or 54 hours. Arkansas has no weekly hours specified in its statute but it has a 6-day-week provision, which in effect makes a 54-hour maximum week.

Arkansas	9 - 6 days	Nebraska	9 - 54
Idaho	9	Oklahoma	9 - 54
Maine	9 - 54	Texas	9 - 54
Michigan	9 - 54	Vermont	9 - 50
Missouri	9 - 54	Wisconsin	9 - 50

<sup>1/</sup> For States with different legal maximum-hour standards for different industries, the law establishing the lowest maximum hours was selected for this summary.

<sup>2/</sup> Temporarily this law (8-40-5 days) is not being enforced.

## IRREGULAR PAGINATION

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### 1. - DAILY AND WEEKLY HOURS (Cont.)

Eight States have set a maximum day of 10 hours and a week of from 54 to 60 hours. In 2 of these - Georgia and South Carolina - the law applies to one type of manufacturing plants only, cotton and woolen mills.

Delaware	10 - 55	Mississippi	10-60 (Men and women)
Georgia	10 - 60 (Men and women)	New Jersey	10-54
Kentucky	10 - 60	South Carolina	10-55 (Men and women)
Maryland	10 - 60	South Dakota	10-54

In one State - Tennessee - the maximum is 10½ hours a day, 57 hours a week. This applies to manufacturing and other industries.

Minnesota has fixed no daily limit in its statute, having only a 54-hour weekly limitation for manufacturing establishments and several other industries.

### 2. - DAY OF REST 3/

About half the States (25) and the District of Columbia prohibit employment of women for more than 5 days a week in some or all industries. In 2 of these States - Colorado and Utah - the law does not apply to manufacturing establishments.

Arizona	Kansas	North Dakota
Arkansas	Massachusetts (Men and women)	Ohio
California (Men and women)	Louisiana	Oregon
Colorado	Nevada	Pennsylvania (5½ days)
Connecticut (Men and women)	New Hampshire (Men and women)	South Carolina
District of Columbia	New Jersey	Utah
Delaware	New York (Men and women)	Washington
Illinois (Men and women)	North Carolina	Wisconsin (Men and women)

### 3. - MEAL PERIODS

Well over half the States (27) and the District of Columbia have provided that meal periods varying from 1/3 hour to 1 hour must be allowed to women in some or all industries. This provision applies to manufacturing establishments in all but 4 of these States - Colorado, Illinois, North Carolina, and Washington. The States are as follows:

Arkansas	Maine	Ohio
California	Maryland	Oregon
Colorado	Massachusetts	Pennsylvania
District of Columbia	Nebraska (Men and women)	Rhode Island
Delaware	Nevada	Utah
Illinois	New Jersey (Men and women)	Washington
Indiana (Men and women)	New Mexico	West Virginia
Kansas	New York (Men and women)	Wisconsin
Kentucky	North Carolina	
Louisiana	North Dakota	

3/ Rhode Island in its 1945 reenactment of an earlier law covering employment on certain holidays includes Sunday in the list of days when employment not absolutely necessary is prohibited. The law, however, does not establish a 5-day week.

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### 4. - REST PERIODS

Rest periods of 10 minutes after a work period of 4 consecutive hours or during each half day are provided for in the laws of Colorado, Oregon, and Utah. These are applicable usually to retail-trade employees. In California if nature of work requires continuous standing, the industrial welfare commission may require that 10-minute rest periods be given after 2 or 2½ hours of work.

### 5. - NIGHT WORK

Twenty-one States and the District of Columbia place some limitation on the hours of employment of women or persons between 18 and 21 at night.

The laws of 2 of these States - Maryland and New Hampshire - do not prohibit night work; they merely limit the number of hours a woman may work at night to 8, whereas the daily maximum in these States is 10 and 10½ hours, respectively.

The following 15 States prohibit night work for women in certain industries or occupations. In Ohio only ticket sellers and in Washington only elevator operators are covered.

California	New York
Connecticut	North Dakota
Delaware	Ohio
Indiana	Pennsylvania
Kansas	South Carolina
Massachusetts	Washington
Nebraska	Wisconsin
New Jersey	

In 3 additional States - Arizona, Kentucky, Rhode Island, a night-work prohibition applies only to persons under 21 years of age in messenger service. In 1 other - Virginia - and the District of Columbia, similar limitations apply only to girl messengers.

### 6. - SEATING

Forty-six States and the District of Columbia have seating laws - all but 1 of them applying exclusively to women. Florida's law applies to both males and females.

Illinois and Mississippi have no seating laws.

### 7. - OCCUPATIONAL LIMITATION LAWS

[Note: - Asterisk preceding entry indicates that law applies only to persons under 21 years of age.]

<u>Alabama:</u>	Labor in or about a coal mine.
<u>Arizona:</u>	Work in or about a mine, quarry, or coal breaker.
<u>Arkansas:</u>	Not to be permitted to enter any mine to work therein.

7. - OCCUPATIONAL LIMITATION LAWS (Cont.)

- California: May not mix alcoholic beverages containing distilled spirits on premises used for the sale of alcoholic beverages, unless she is the licensee or wife of any such licensee.
- \*Employment of person under 21 on portion of premises used for sale and service of alcoholic beverages for consumption on premises.
- Colorado: Employment in or about a coal mine or coke oven except in a clerical capacity.
- Connecticut: Employment in any tavern, unless employee is the wife or daughter of proprietor.
- Delaware: \*Employment of person under 21 in room where intoxicating liquors are sold or dispensed, unless the establishment sells for medical or scientific purposes.
- Florida: \*Employment of person under 21 in pool room, billiard room, or place where intoxicating liquors are manufactured or sold.  
Exemptions: Professional entertainers; drug or grocery stores licensed to sell beer and wine for consumption on premises; hotel workers if work is apart from place where alcoholic beverages are sold.
- Illinois: Manual labor in or about a mine.
- Municipal authorities are empowered to prohibit by ordinance employment of women (other than a licensee or wife of licensee) as dispensers in retail liquor establishments.
- Indiana: Employment within a coal mine.
- \*Employment of person under 21 in any public pool or billiard room.
- Kentucky: Employment by retail liquor licensee for duties other than as waitress, cashier, or usher.
- Louisiana: Employment as dispenser or seller of spirituous liquors, wines or malt in any concert hall or saloon where such liquors are sold.
- Maryland: Employment, other than office work, in connection with any mine.
- \*Employment of person under 21 in or in connection with any place where intoxicating liquors are sold.
- Massachusetts: \*Employment of person under 21 in, about, or in connection with a saloon or bar room where alcoholic liquors are sold.
- Minnesota: \*Employment of girl under 21 as messenger for telegraph or messenger company.
- Missouri: Employment within any mine.

7. - OCCUPATIONAL LIMITATION LAWS (Cont.)

- Montana: \*Employment of person under 21 to serve liquor, beer, or wine.
- New Mexico: \*Employment of girl under 21 as messenger for telegraph, telephone, or messenger company. Exemption permit may be granted during war emergency.
- New Jersey: Employment in the manufacture of nitro and amido compounds.  
Exemptions: Office, works hospital, or welfare room or building.
- New York: Employment in or in connection with a mine or quarry.
- \*Employment of females under 21 as conductors or guards on any type of railroad.
- \*Employment of females under 21 as messenger for telegraph or messenger company.
- Ohio: Employment as bellhop, crossing watchman, express driver, taxi driver, <sup>4/</sup> jitney driver, meter reader (gas or electric), molder or section hand, or in the following occupations or places:
- Baggage handling.  
Bar room and saloons or public drinking places which cater to male customers only and in which substitutes for intoxicating liquors are sold.  
Blast furnaces; mines; quarries; or smelters; (Except in offices)  
Bowling alleys.  
Delivery service.  
Freight handling.  
Operating freight or baggage elevators.  
Pool rooms.  
Shoe-shining parlors.
- \*Employment of girls under 21 in the personal delivery of messages.
- An Act passed in 1943, effective during the war emergency, limits the occupations in which women may not work during the emergency to the following:
- Bar rooms and saloons or public drinking places which cater to male customers only.  
Bellhop.  
Metal molder.  
Mines; quarries. (Except in offices.)  
Pool rooms.
- Oklahoma: Employment underground in the operation of a mine, or in any quarry. Office work exempted if on top of the ground.

<sup>4/</sup> The prohibition of taxicab driving was declared unconstitutional by a county court of Ohio in 1928.



# 7. - OCCUPATIONAL LIMITATION LAWS (Cont.)

Pennsylvania: Reading or testing meters (water, gas, electric).  
Messenger for railroads in calling train crews.  
Crane operator.  
Welding and cutting.  
On railroad tracks and at trucking.  
Maintaining fires in hand-fired boiler furnaces.

During the war emergency dispensations may be granted by department of labor for any of these occupations.

Employment in or about a mine. (Except in office or clerical work.)

South Carolina: \*Employment of person under 21 in a retail, wholesale, or manufacturing liquor business.

Utah: Employment in a mine or smelter. During the war emergency women may be employed at other than underground work in mines and in smelters.

Virginia: Employment in or around a mine or quarry.

Washington: Employment in or about a mine. (Except in clerical or messenger duty about the surface workings.)

Employment as bellhop.

Wisconsin: Employment in or about a mine or quarry.

Employment in place established by court order as a disorderly house or employed to work for any person convicted as keeper of a disorderly house.

\*Employment of girl under 21 as bellhop in hotel.  
\*Employment of girl under 21 as caddy on golf course.

Wyoming: Employment in or about a coal or iron mine or in any other dangerous place. (Except in office or clerical work.)

# 8. - WEIGHT-LIFTING LAWS

Nine States have some regulation regarding the lifting or carrying of heavy weights by women. These States are:

California	New York
Massachusetts	Ohio
Michigan	Oregon
Minnesota	Utah
Washington	

# 9. - EQUAL-PAY LAWS

Six States have enacted statutes which prohibit discrimination in rate of pay because of sex. Two of these laws - Illinois and Michigan - apply to manufacture only.

Illinois	Montana
Massachusetts	New York
Michigan	Washington

# 10. - MINIMUM-WAGE LAWS

Twenty-six States and District of Columbia have minimum-wage laws on their statute books. These laws are broad in their coverage of industries, most of them being all-inclusive with a few listed exemptions, usually domestic service and agriculture. The Maine law is the only one of limited scope; it applies to one industry only - fish packing. Most of these laws apply to women and minors, the exceptions being noted in the following list of States:

Arizona	Louisiana (Women and girls)	Ohio
Arkansas (Women and girls)	Maine	Oklahoma (Women)
California	Massachusetts	Oregon
Colorado	Minnesota	Pennsylvania
Connecticut (All persons)	Nevada (Women and girls)	Rhode Island (All persons)
District of Columbia	New Hampshire	South Dakota (Women and girls)
Illinois	New Jersey	Utah
Kansas	New York (All persons)	Washington
Kentucky	North Dakota	Wisconsin

# 11 - INDUSTRIAL HOME-WORK LAWS

Twenty States and the District of Columbia have industrial home-work laws or regulations. In all but 3 - Colorado, Oregon, and Utah - and the District of Columbia the law applies to "persons", in these 4 jurisdictions the law applies to women and minors only. The States are:

California	Massachusetts	Pennsylvania
Colorado	Michigan	Rhode Island
Connecticut	Missouri	Tennessee
District of Columbia	New Jersey	Texas
Illinois	New York	Utah
Indiana	Ohio	West Virginia
Maryland	Oregon	Wisconsin

# 12. - EMPLOYMENT BEFORE AND AFTER CHILDBIRTH

Six States have laws prohibiting the employment of women immediately before and after childbirth. These States and the periods during which women may not be required to work are:

Connecticut:	4 weeks before and 4 weeks after
Massachusetts:	4 weeks before and 4 weeks after
Missouri:	3 weeks before and 3 weeks after
New York:	4 weeks after
Vermont:	2 weeks before and 4 weeks after
Washington:	4 months before and 6 weeks after

U. S. Department of Labor  
WOMEN'S BUREAU  
Washington

February 1946

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THE ECONOMIC RESPONSIBILITIES OF WOMEN WORKERS AS SHOWN BY  
A WOMEN'S BUREAU STUDY OF WOMEN WAR WORKERS AND THEIR  
POSTWAR EMPLOYMENT PLANS

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(A Women's Bureau study based on home interviews in 1944 and the early spring of 1945 with over 13,000 women workers employed in all types of industry (except household employment) in 10-war congested areas, showed that 75 percent of these women planned to continue working in peacetime.)

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The reason given by each woman for continuing to work was -

Of every 100 women -  
84 to support themselves and in many cases others  
8 for some special economic reason, as to buy a home,  
pay off debts, educate children  
8 only because they liked working or liked being independent

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The economic family responsibilities of the women who planned to keep on working:

Of every 100 women who planned to continue -  
81 lived with their families  
19 lived apart

Of every 100 women who lived with their families -  
15 were the sole support of the family group  
47 were 1 of 2 wage earners contributing regularly to household expenses  
31 were 1 of 3 or more wage earners contributing regularly to the household expenses  
7 made no regular contribution to the household

Of every 100 women who lived with their families -  
33 contributed regularly to the household all their take-home earnings  
20 contributed regularly one-half or more but not all  
40 contributed regularly less than one-half  
7 made no regular contribution toward family support

OF EVERY 100 WOMEN WHO LIVED WITH THEIR FAMILIES AND PLANNED TO CONTINUE IN THE POSTWAR LABOR MARKET, 93 CONTRIBUTED REGULARLY TO FAMILY EXPENSES. NEARLY TWO-THIRDS (62 percent) OF THE TOTAL MONEY IN THE PAY ENVELOPES OF ALL THESE WOMEN, WHO CONTRIBUTED, WAS ALLOCATED EACH PAY DAY TO HOUSEHOLD EXPENSES.

OF EVERY 100 WOMEN WHO LIVED APART FROM THEIR FAMILIES, PRACTICALLY ALL WERE DEPENDENT ON THEIR OWN RESOURCES FOR SELF SUPPORT.

U. S. Department of Labor  
WOMEN'S BUREAU  
Washington

February 1946

THE ECONOMIC RESPONSIBILITIES OF EMPLOYED SINGLE WOMEN  
AS SHOWN BY A WOMEN'S BUREAU STUDY OF WOMEN WAR WORKERS  
AND THEIR POSTWAR EMPLOYMENT PLANS

(The Women's Bureau study based on home interviews in 1944 and the early spring of 1945 with over 13,000 women employed in all types of industry (except household employment) in 10 war congested areas, showed that single women formed 44 percent of the employed women during the war period and nearly ninety percent (87 percent) of these women planned to continue working in peacetime.)

The reason given by each woman for continuing to work was -

- Of every 100 single women -
  - 96 to support themselves and in many cases others
  - 2 for some special reason, as money for education
  - 2 only because they liked working or liked being independent

The economic responsibilities of the single women who planned to keep on working:

- Of every 100 women who planned to continue -
  - 77 lived with their families
  - 23 lived apart
- Of every 100 women who lived with their families -
  - 12 were the sole support of the family group
  - 41 were 1 of 2 wage earners contributing regularly to household expenses
  - 40 were 1 of 3 or more wage earners contributing regularly to household expenses
  - 7 made no regular contributions to the household
- Of every 100 women who lived with their families -
  - 13 contributed regularly to the household all their take-home earnings
  - 20 contributed regularly one-half or more, but not all
  - 60 contributed regularly less than one-half
  - 7 made no regular contributions toward family support.

OF EVERY 100 SINGLE WOMEN WHO LIVED WITH THEIR FAMILIES AND PLANNED TO CONTINUE IN THE POSTWAR LABOR MARKET, 93 CONTRIBUTED REGULARLY TO FAMILY EXPENSES. NEARLY ONE-HALF (46 percent) OF THE TOTAL MONEY IN THE PAY ENVELOPES OF ALL THESE WOMEN, WHO CONTRIBUTED, WAS ALLOCATED EACH PAY DAY TO HOUSEHOLD EXPENSES.

OF EVERY 100 SINGLE WOMEN WHO LIVED APART FROM THEIR FAMILY, PRACTICALLY ALL WERE DEPENDENT ON THEIR OWN RESOURCES FOR SELF SUPPORT.

U. S. DEPARTMENT OF LABOR  
WOMEN'S BUREAU  
Washington

February 1946

THE ECONOMIC RESPONSIBILITIES OF EMPLOYED MARRIED WOMEN <sup>1/</sup>  
AS SHOWN BY A WOMEN'S BUREAU STUDY OF WOMEN WAR WORKERS AND  
THEIR POSTWAR EMPLOYMENT PLANS

(The Women's Bureau study based on home interviews in 1944 and the early spring of 1945 with over 13,000 women employed in all types of industry (except household employment) in 10 war congested areas, showed that married women formed 44 percent of the employed women during the war period and over one-half (57 percent) of these women planned to continue working in peacetime.)

The reason given by each woman for continuing to work was -

- Of every 100 married women -
  - 57 to support themselves and in many cases others
  - 21 for some special economic reason, as to buy a home, pay off debts, educate children
  - 22 only because they like working or like being independent

The economic family responsibilities of the married women who planned to keeping on working.

- Of every 100 women who planned to continue -
  - 91 lived with their families
  - 9 lived apart
- Of every 100 who lived with their families -
  - 12 were the sole support of the family group
  - 58 were 1 of 2 wage earners contributing regularly to household expenses
  - 21 were 1 of 3 or more wage earners contributing regularly to household expenses
  - 9 only made no regular contribution to the household
- Of every 100 women who lived with their families -
  - 56 contributed regularly to the household all their take-home earnings
  - 17 contributed regularly one-half or more, but not all
  - 18 contributed regularly less than one-half
  - 9 made no regular contributions toward family support.

OF EVERY 100 MARRIED WOMEN WHO LIVED WITH THEIR FAMILIES AND PLANNED TO CONTINUE IN THE POSTWAR LABOR MARKET, 91 CONTRIBUTED REGULARLY TO FAMILY EXPENSES. SEVENTY-NINE PERCENT OF THE TOTAL MONEY IN THE PAY ENVELOPES OF ALL THESE MARRIED WOMEN, WHO CONTRIBUTED, WAS ALLOCATED EACH PAY DAY TO HOUSEHOLD EXPENSES.

OF EVERY 100 MARRIED WOMEN WHO LIVED APART FROM THEIR FAMILIES PRACTICALLY ALL WERE DEPENDENT ON THEIR OWN RESOURCES FOR SELF SUPPORT.

<sup>1/</sup> Women who were separated from their husbands whether because the husband was in services or for other reasons were counted as married. Widowed and divorced women are not included in this group.

February 1946

U. S. Department of Labor  
WOMEN'S BUREAU  
Washington

THE ECONOMIC RESPONSIBILITIES OF EMPLOYED WIDOWED OR DIVORCED WOMEN <sup>1/</sup>  
AS SHOWN BY A WOMEN'S BUREAU STUDY OF WOMEN WAR WORKERS AND THEIR  
POSTWAR EMPLOYMENT PLANS

(The Women's Bureau study based on home interviews in 1944 and the early spring of 1945 with over 13,000 women employed in all types of industry (except household employment) in 10 war congested areas, showed that the widowed and divorced women formed 12 percent of the women employed during wartime and 94 percent of these women planned to continue working in peacetime.)

The reason given by each woman for continuing to work was -

Of every 100 widowed, divorced women -

- 98 to support themselves and in many cases others
- 1 for some special economic reasons, as to pay off debts, educate children
- 1 only because she liked working, liked being independent

The economic family responsibilities of the widowed or divorced women who planned to keep on working:

Of every 100 women who planned to continue -

- 70 lived with their families
- 30 lived apart

Of every 100 women who lived with their families -

- 35 were the sole support of the family group
- 39 were 1 of 2 wage earners contributing regularly to household expenses
- 23 were 1 of 3 or more wage earners contributing regularly to household expenses
- 3 made no regular contributions to the household

Of every 100 who lived with their families -

- 45 contributed regularly to the household all their take-home earnings
- 21 contributed regularly one-half or more, but not all
- 31 contributed regularly less than one-half
- 3 made no regular contributions toward family support.

OF EVERY 100 WIDOWED OR DIVORCED WOMEN WHO LIVED WITH THEIR FAMILIES AND PLANNED TO CONTINUE IN THE POSTWAR LABOR MARKET, 97 CONTRIBUTED REGULARLY TO FAMILY EXPENSES. SEVENTY-ONE PERCENT OF THE TOTAL MONEY IN THE PAY ENVELOPES OF ALL THESE WIDOWED OR DIVORCED WOMEN, WHO CONTRIBUTED, WAS ALLOCATED EACH PAY DAY TO HOUSEHOLD EXPENSES.

OF EVERY 100 WIDOWED, DIVORCED WOMEN WHO LIVED APART FROM THEIR FAMILIES PRACTICALLY ALL WERE DEPENDENT ON THEIR OWN RESOURCES FOR SELF SUPPORT.

<sup>1/</sup> Women who were separated from their husbands whether because the husband was in services or for other reasons were counted as married. Widowed and divorced women were not included in this group.

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WARTIME SHIFTS OF HOUSEHOLD EMPLOYEES INTO OTHER INDUSTRIES

During our 3 1/3 years of total war, the demand for additional workers not only brought housewives from their homes and girls from the schools into a rapidly expanding labor market but caused millions of women employed before Pearl Harbor to shift from their traditional women's jobs into the plants making war and consumer goods. In this last group were many household employees. By March 1944, some 400,000 of the country's 2 million household employees had been involved in this tremendous shifting of occupations that characterized the entire women's wartime labor force.

In 1944 and the Spring of 1945, representatives of the Women's Bureau interviewed nearly 13,000 women who were employed in all occupations except household employment, in nine war industry areas. The study, though not including women employed as household workers during the war period, did include women who had been employed in domestic work before the war and who had shifted to other work. Over one-half of the women interviewed had been employed before Pearl Harbor, and of these women nearly ten percent were domestic employees before the war.

About 60 percent of the women who had shifted from domestic-service work to other occupations during the war were Negroes. Over a half were married, over two-thirds fell in the 20-to 40 age range, a fourth in the 40 years-or-over category and only 4 percent were under 20 years of age. About half of these women became factory operatives and maintenance and clerical workers in manufacturing plants and large government installations. Over one-fourth entered the service industries--the laundries, hotels, and restaurants--taking jobs left vacant by the exodus of regular women employees into war manufacturing plants where the wages were higher and working conditions better than in their old jobs.

At the time of the survey, over 90 percent of the former domestic employees were planning to continue working after the war. Over three-fourths of these desired to follow in peacetime the type of work they had done during the war rather than return to private domestic employment. The proportion who wished to continue in the industry in which they were employed during the war was considerably higher among the women working in manufacturing and war industry establishments than among the women working in hotels, laundries, restaurants, etc.

Undoubtedly, the high earnings offered by manufacturing plants were a deciding factor in the desire of women to follow manufacturing work in peacetime. During the war, average weekly take-home earnings for former domestic employees working as operatives in manufacturing were \$36 as compared to \$23 for women working in laundries and \$19 for those working in hotels. Before the war, domestic employees were the lowest paid of all women workers in the United States. The median year's wages in 1939 for over a million domestic employees who worked 12 months was \$316; about a third of the women earned less than \$200; two-thirds less than \$400; and four-fifths under \$600, according to the Bureau of the Census report.



A study made by the District of Columbia YWCA in cooperation with the Women's Bureau in 1939 revealed that full-time white domestic employees averaged only \$9.35 per week and that about 90 percent earned less than \$14. The average for full-time Negro workers was \$8.85, and almost all (98 percent) earned less than \$14.

Wages for domestic employees have risen considerably during the war. From USES records, private employment agency reports, and other sources, it seems that in many areas \$20 to \$25 is the usual weekly wage now offered.

No other phase of domestic work is so burdensome as the long hours. The 1939 District of Columbia study showed that over 60 percent of the white domestic employees and 60 percent of the Negro women, living in, had a work week of at least 70 hours and that nearly 70 percent of the Negro workers who lived out were on duty 60 hours or more.

While there are no factual data to prove that hours of household employees have been shortened since 1939, indications are that there has been some improvement in this direction. For the most part, however, the work week of the full-time domestic employee still exceeds the wartime factory week of 48 hours (every evening and all day Sunday off) and since the end of the war the hours in most manufacturing plants have been shortened to 40 or 44.

There is no adequate labor legislation to safeguard in this postwar period the gains made by the employees working in domestic service during the war. While minimum wage laws of eight States (California, Colorado, Kansas, Oklahoma, Oregon, Utah, Washington, Wisconsin) do not exclude domestic workers from coverage, Wisconsin is the only State in which a minimum wage rate for domestic employees is in effect, and this rate, set in 1932, of \$6 with meals, \$4.50 with meals and room, for a 50-hour week is now entirely inadequate.

Only the State of Washington has a maximum-hour law for domestic workers: A 60-hour maximum work week for both male and female domestic workers. Moreover, this long week may be extended in cases of emergency.

The wage and hour provisions of the Fair Labor Standards Act apply only to workers engaged in interstate commerce; hence domestic employees are not covered.

Domestic employees are also denied the benefits of social legislation. They are excluded from the Old Age and Survivors Insurance provisions of the Social Security Act. In only one State, New York, are they covered by Unemployment Compensation and here only, if the employer employs four or more workers in his house for 15 days in a calendar year. In two States only, California and Ohio, is there compulsory coverage of domestic employees by Workmen's Compensation: in Ohio only if the employer employs three or more persons.

While the Women's Bureau study in war industry areas indicated that the great majority of domestic employees who deserted that field during the war to enter manufacturing plants did not plan to return to their old line industry, there were some women who prefer household employment. Some of the Comments of these women were as follows:

"Find my job as inspector in an Armory very tiring and exacting, no time to smoke a cigarette and relax, have to keep busy up to the last minute. Like housework and expect to go back."

"Simply tired out from work as scaler in shipyard, will welcome change of jobs after the war, possibly domestic service again."

"Work as drill-press operator too hard, light job but very fast, have to turn out 1400 pieces a day. It is a man's work--so hard, usually work only 5 instead of 6 days a week. Housemaid is my usual occupation and prefer it."

"Threading rivets for aircraft parts is too hard as have to stand 8 hours a day. Will go back to maid work."

"Plan to return to former home in New Orleans. Realize there will be no industrial jobs for colored people, so will resume former work of cleaning and cooking."

"At present make cartons and do packing at spice and coffee company. Plan to return to Texas. Feel that 'private' work will be only kind available."

"Prefer my job as machine operator in a can company. Am beginning to accept fact Negro women will be forced to return to domestic work. Anyway I always save more when I work and sleep in."

Of the domestic employees who entered the hotels, laundries, restaurants, and similar service industries during the emergency but who planned to return to household work at the war's end, some of the reasons for doing so were:

"At present, am marker in a laundry. Prefer to return to domestic service. Anything but laundry work."

"Am uniform presser in a laundry. Want to be maid in private home. Don't have to work as hard as in the laundry."

"Am janitress in an office building. Prefer to be a private-home cook. It's my job."

"Prepare vegetables in a restaurant. Want maid work. Can't stand on cement floors. My feet are killing me."

"Am maid in a department store. Prefer domestic cleaning in private homes. Can arrange own hours when I work privately and can run my own home better."

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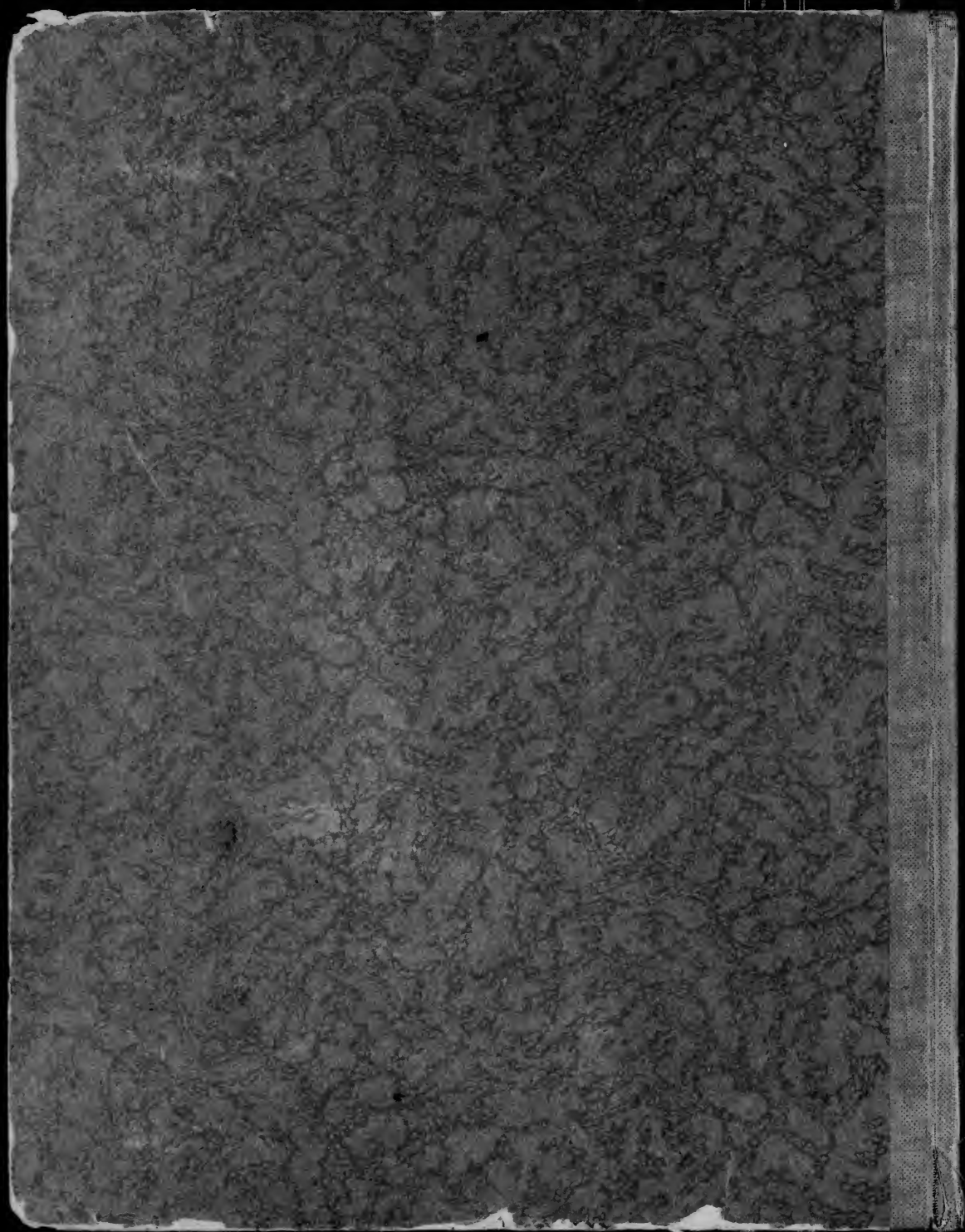
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